

the directions of this act; which qualification any justice of the peace is hereby authorized and enjoined to administer. C H A P. XXIV.

VIII. And be it enacted, That the said wardens, or a majority of them, shall and may order and make, as soon as conveniently may be, an exact survey and chart of the said bason, harbour, and river Patapsco, and shall and may ascertain the depth and course of the channel of the same, and if necessary affix buoys or water-marks, for facilitating and rendering more safe the navigation thereof. To make a survey, &c.

IX. And be it enacted, That no wharf or wharfs shall be run out, made, altered, enlarged or extended, from or after the publication hereof, so as to divert the course of the said channel, obstruct the harbour or bason, or to the injury of the same; and that no person or persons shall make, alter or extend, a wharf or wharfs, from and after the publication hereof, without laying before the said wardens a plan of his or their intended wharf or wharfs, and without consent first obtained, under the seal of the board, to carry the same in effect; and in case any person or persons shall make, alter or extend, a wharf or wharfs, without such permission, it shall and may be lawful for the said wardens to recover, by warrant, before a magistrate, a sum not exceeding one hundred pounds, as in cases of debts not exceeding five pounds, and forthwith to cause the same to be demolished; provided that this act is not meant to extend to the demolition or removal of wharfs already made, built and extended. Wharfs not to be made, &c.

X. And be it enacted, That said wardens shall and may cause the bason and harbour, or such part or parts thereof as to them shall seem meet, as soon as enabled to carry the same into effect, to be cleansed, scoured, cleared and ballasted, and all obstructions and annoyances in and upon the said bason, harbour and river, whether from vessels sunk or any other cause, to be removed; and, towards defraying the charges and costs thereof, to impose on every vessel entering or clearing at said port one penny per tun; which sum is to be collected and paid to the naval officer for said port, which officer is to draw the same commission upon said collection as on collections made for the state; and the naval officer is hereby enjoined to collect and receive the rate aforesaid, and to pay the same from time to time, deducting the commission aforesaid, or four times each year, to said wardens; said rate to continue till a sufficient sum shall be raised for defraying the expence aforesaid; and in case of refusal, it shall and may be lawful for the said wardens to recover the same before a magistrate, as in cases of debt not exceeding five pounds. Wardens to cause bason, &c. to be cleaned, &c.

XI. And be it enacted, That no warden shall sit in judgment in the execution of this act, or any of the powers herein contained, where he is anywise interested or concerned. No warden, interested, to sit in judgment, &c.

XII. And be it enacted, That the said wardens, or a majority of them, shall, and they are hereby authorized, to make such rules, regulations and ordinances, from time to time, respecting wharfs and wharfage, and the keeping them in repair, so as to prevent their injuring the harbour or bason, and for preventing vessels from casting out filth or ballast, or any other cause, whether from vessels, wharfs, or the land or earth, or soil, contiguous to the bason or harbour, being thrown into the same, that may serve to fill up the said harbour or bason, or obstruct the navigation thereof; and to impose fines for every breach of said rules, regulations or ordinances, not exceeding fifty pounds, to be recovered before a magistrate, as in debts not exceeding five pounds; and all fines, penalties or awards, the recovery of which is not specially mentioned, to be recovered in same manner as in cases of debts not exceeding five pounds. Wardens may make rules, &c.

XIII. Provided always, That no rules, regulations or ordinances, directed to be made by this act, be repugnant to the laws of this government, and provided said rules, regulations or ordinances, be published in the Baltimore newspaper. Proviso.